

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

CAREY MILLER, # 278637,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIV. ACT. NO. 2:12cv577-TMH
	)	(WO)
WARDEN GARY HETZEL, III, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**OPINION and ORDER**

On December 14, 2012, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 25). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED, and that this case be and is hereby DISMISSED without prejudice for the plaintiff's failures to prosecute this action and comply with the orders of this court.

Done this the 23rd day of January, 2013.

          /s/ Truman M. Hobbs            
TRUMAN M. HOBBS  
SENIOR UNITED STATES DISTRICT JUDGE